

AGREEMENT BETWEEN THE PORTUGUESE REPUBLIC AND ROMANIA ON CO-OPERATION IN DEFENCE MATTERS

The Portuguese Republic and Romania, hereinafter referred to as "Parties",

Recognizing the development of good relations between the Parties based on the mutual respect of their national interests, reciprocity and partnership,

Considering that defence cooperation and dialogue contribute to the development of even better relations between the Parties,

Recognizing military cooperation as a contribution to international peace and security;

Desiring to supplement and reinforce cooperation in defence matters,

Acknowledging the provisions of the Charter of the United Nations,

Considering the North Atlantic Treaty Organisation as a pillar of security and stability,

Determined to contribute to a closer European Union, and broader transatlantic relationship, by acting in the spirit of partnership and cooperation through the development of strong relations in the field of defence, in both NATO and EU,

Taking into consideration the provisions of the Security Agreement between

the Portuguese Republic and Romania on the Mutual Protection of Classified Information, signed in Bucharest, on 14th of May 2008 and in force since 13th of May 2010,

Recognizing that the existing cooperation between the Parties under the Agreement between the Ministry of National Defence of the Portuguese Republic and the Ministry of National Defence of Romania on the cooperation in the military field, signed in Bucharest, on 10th of July 1995, would benefit from an updated legal framework,

Have agreed as follows:

ARTICLE 1

PURPOSE

The Agreement aims to promote cooperation between the Parties concerning defence matters, within their competences, in accordance with their respective internal law and the international commitments undertaken by the Parties and on the basis of the principles of equality, reciprocity and mutual interest.

ARTICLE 2

AREAS OF COOPERATION

1. The cooperation between the Parties shall be developed in the following areas:
 - a) Defence policy and planning;
 - b) Bilateral and multinational force exercises;

- c) Cyber defence and counter hybrid warfare;
 - d) Training and education of military and civilian personnel;
 - e) Crisis management, peacekeeping and humanitarian operations;
 - f) Defence logistics;
 - g) Defence intelligence;
 - h) Defence industries, technologies and equipment;
 - i) Research and development;
 - j) Military geography, geodesy, topography, geospatial information and meteorology;
 - k) Military legislation;
 - l) Arms control and disarmament;
 - m) Green Defence;
 - n) Gender affairs and the role of women in the Armed Forces;
 - o) Military medicine;
 - p) Military History and publications;
 - q) Social, sports and cultural activities.
2. The Parties reserve the right to cooperate in other areas in the field of defence than those listed in paragraph (1) of this Article, within the scope of this Agreement.
3. The Parties agree to conclude subsequent technical arrangements if necessary, and to seek approval of these arrangements in accordance with the respective national laws.

ARTICLE 3

FORMS OF COOPERATION

1. The cooperation between the Parties shall be implemented in the following forms:

- a) High level and working visits of military and civil delegations;
 - b) Bilateral meetings on cooperation issues;
 - c) Exchange of experiences and lessons learned;
 - d) Participations in exhibitions of military equipment and armament;
 - e) Participation in military exercises;
 - f) Participation in training courses, seminars and conferences for military and civilian personnel;
 - g) Exchange of experience in arms control and disarmament to increase the regional security and stability.
2. The Parties may agree on other forms of cooperation, within the scope of this Agreement.

ARTICLE 4

COMPETENT AUTHORITIES

The competent authorities of the Parties are:

- a) For the Portuguese Republic – Ministry of National Defence;
- b) For Romania:
 - Ministry of National Defence and
 - Ministry of Economy.

ARTICLE 5

BILATERAL CONSULTATION AND ANNUAL COOPERATION PLANS

1. In order to follow the implementation of this Agreement and based on mutual interest, the competent authorities of the Parties may decide, by mutual consent, to hold bilateral meetings at the request of any of the Parties to discuss cooperation

matters. These meetings will take place alternatively in the Portuguese Republic or in Romania and will be co-chaired by the Director General for National Defence Policy of the Ministry of National Defence of the Portuguese Republic and the Director for International Defence Cooperation of the Ministry of National Defence of Romania.

2. Pursuant to this Agreement and in compliance with specific needs, the competent authorities of the Parties may develop an annual bilateral cooperation plan for the following year, specifying the activities agreed upon, their topics, ways and dates, the location as well as the institutions responsible for their fulfilment, number of representatives and other basic issues related to the organization and execution of the plan.

3. The authorized representatives of the Parties shall sign, during the bilateral meetings or through correspondence, the harmonized annual plan of bilateral cooperation.

ARTICLE 6

FINANCIAL ASPECTS

1. Notwithstanding the provisions of the following paragraphs, each Party, in accordance with its respective applicable law, shall bear its own expenses concerning the activities to be performed under this Agreement, unless otherwise agreed by the Parties in written form.

2. The Receiving Party shall bear the expenses for domestic transportation for delegates of the Sending Party within the territory of the State of the Receiving Party.

3. The Receiving Party shall bear the expenses of basic medical services in emergency cases to the personnel involved in activities organized under this Agreement.

4. The Parties may agree on different cost-sharing mechanisms for specific activities.

ARTICLE 7

PROTECTION OF CLASSIFIED INFORMATION

All classified information exchanged or generated in connection with this Agreement shall be used, transmitted, stored, handled and/or safeguarded in accordance with the “Security Agreement between the Portuguese Republic and Romania on the Mutual Protection of Classified Information”, signed in Bucharest, on 14th of May 2008 and in force since 13th of May 2010.

ARTICLE 8

RELATION WITH OTHER INTERNATIONAL CONVENTIONS

The provisions of this Agreement shall not affect the rights and obligations deriving from other international conventions that are binding upon both Parties.

ARTICLE 9

SETTLEMENT OF DISPUTES

Any disputes concerning the interpretation or application of this Agreement shall be settled through negotiation between the Parties, through diplomatic channels.

ARTICLE 10
AMENDMENT

1. This Agreement may be amended at the request of one of the Parties, at any time, in writing, by mutual consent of the Parties.
2. The amendments shall enter into force in accordance with the terms specified in Article 12 of this Agreement.

ARTICLE 11
DURATION AND TERMINATION

1. This Agreement shall remain in force for an unlimited period of time.
2. This Agreement may be terminated by either Party, at any time, by giving written notice through diplomatic channels of its intention to terminate this Agreement.
3. The termination of this Agreement shall enter into force six months after the receipt of the aforementioned notification.
4. The termination of this Agreement shall not affect ongoing activities, unless the Parties agree otherwise, in writing through diplomatic channels.
5. On the date of the entry into force of this Agreement, the Agreement between the Ministry of National Defence of Portugal and the Ministry of National Defence of Romania on the cooperation in the military field, signed in Bucharest, on 10th of July 1995, shall be terminated.

ARTICLE 12
ENTRY INTO FORCE

This Agreement shall enter into force thirty (30) days after the date of receipt of the latter of the notifications, in writing through diplomatic channels, conveying

the completion of the internal procedures of each Party required for that purpose.

ARTICLE 13
REGISTRATION

Upon entry into force of this Agreement, the Party in whose territory this Agreement is signed shall transmit it to the Secretariat of the United Nations for registration, in accordance with Article 102 of the Charter of the United Nations and shall notify the other Party of the completion of this procedure as well as of its registration number.

Done in Bucharest on the 19th of May, 2022, in two originals, in the Portuguese, Romanian and English Languages, all texts being equally authentic. In case of divergence of interpretation, the English text shall prevail.

FOR THE PORTUGUESE
REPUBLIC

FOR ROMANIA

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